

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

Decision by Court.

This action came before Senior United States District Judge W. Earl Britt for the consideration of the defendant's motion to dismiss, motion for summary judgment and motions to strike and plaintiff's motion to substitute party.

IT IS ORDERED, ADJUDGED AND DECREED that plaintiff's motion to substitute Hyde County as the defendant in this action (DE # 30) is GRANTED. The motion to dismiss (DE # 22) is GRANTED IN PART and DENIED IN PART, and plaintiff's race and age discrimination claims are DISMISSED to the extent they are based on acts that occurred in 2008. The motion for summary judgment (DE # 24) is GRANTED. The motions to strike (DE ## 39, 50) are DENIED AS MOOT. The Clerk is DIRECTED to substitute defendant Hyde County, North Carolina for David Smitherman, Sharon Spencer, George Thomas Davis, Darlene Styron, Anson Byrd, and Ken Collier. The Clerk is further DIRECTED to enter judgment in favor of Hyde County and close this case.

This judgment filed and entered on December 7, 2012, and served on:

Norman B. Smith (via CM/ECF Notice of Electronic Filing)
Mary Nell Craven (via CM/ECF Notice of Electronic Filing)

December 7, 2012

/s/ Julie A. Richards,
Clerk of Court